

FOR THE EXCHANGE OF LANDS IN CUSTER NATIONAL  
FOREST, MONT.

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FEBRUARY 17, 1925.—Committed to the Committee of the Whole House on the  
state of the Union and ordered to be printed

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Mr. LEAVITT, from the Committee on the Public Lands submitted  
the following

REPORT

[To accompany S. 3666]

The Committee on the Public Lands, to whom was referred (S. 3666) for the exchange of lands in the Custer National Forest, Mont., having considered the same reports thereon favorably, without amendment and recommends it do pass.

The recommendations of the Department of Agriculture are indicated by the report submitted by them, as follows:

DEPARTMENT OF AGRICULTURE,  
*Washington, December 26, 1924.*

HON. EDWIN F. LADD,  
*Chairman Committee on Public Lands and Surveys,  
United States Senate.*

DEAR SENATOR LADD: Reference is made to your request of December 15 for a report on Senate bill 3666, for the exchange of lands in the Custer National Forest, Mont.

This measure proposes, in substance, that lands within the Custer National Forest, Mont., which have been withdrawn or classified as coal lands, or are valuable for coal, may be exchanged under the forest exchange act of March 20, 1922 (42 Stat. 465), reserving to the United States the coal deposits in the lands and the right to prospect for, mine, and remove the same. In other words, privately-owned lands within national forests, in the State of Montana, if found by the Secretary of Agriculture to be chiefly valuable for national forest purposes, and equal in value to lands within the Custer National Forest which might be sought in exchange therefor, could be exchanged under the above mentioned exchange act, reserving to the United States the coal deposits in the lands which it would convey and the right to prospect for, mine, and remove such deposits. A precedent for legislation of this character, in so far as coal reservations are concerned, may be found in the act of June 22, 1910 (36 Stat. 583), which authorizes agricultural entries of public lands containing coal deposits but with a reservation of such deposits to the United States and the right to prospect for, mine, and remove the same.

In the judgment of this department legislation of the character proposed is desirable, since it will authorize a more complete use of the general exchange act

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while at the same time retaining in the Government the coal deposits which are of uncertain value and which may be disposed of under the public land laws relating to that subject. The department, therefore, recommends favorable consideration of the proposed legislation. It is assumed, of course, that your committee will obtain the views of the Secretary of the Interior on the subject.

Sincerely yours,

HOWARD M. GORE, *Secretary.*

In a report to the Chairman of the Public Lands Committee on this bill, dated February 16, 1925, the Secretary of the Interior stated that he had no objection to the passage of S. 3666.

